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COMMITTEE MEETING  
STATE OF CALIFORNIA  
INTEGRATED WASTE MANAGEMENT BOARD  
SPECIAL WASTE COMMITTEE

JOE SERNA, JR., CALEPA BUILDING  
1001 I STREET  
2ND FLOOR  
COASTAL VALLEY HEARING ROOM  
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APPEARANCES

COMMITTEE MEMBERS

Ms. Cheryl Peace, Chair

Ms. Rosario Marin

Ms. Rosalie Mul

STAFF

Mr. Mark Leary, Executive Director

Ms. Julie Nauman, Chief Deputy Director

Ms. Marie Carter, Chief Counsel

Ms. Wendy Breckon, Staff Counsel

Mr. Keith Cambridge, Staff

Ms. Amalia Fernandez, Staff

Mr. Bob Fujii, Supervisor, Waste Tire Management

Mr. Glenn Gallagher, Staff

Mr. Steve Hernandez, Supervisor, Grants & Certification  
Section II

Mr. Albert Johnson, Staff

Mr. Jim Lee, Deputy Director

Ms. Selma Lindrud, Committee Secretary

Mr. Tom Micka, Staff

Mr. Darryl Petker, Staff

Ms. Elena Yates, Staff

ALSO PRESENT

Lieutenant Steve Dowling, CHP

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1 PROCEEDINGS

2 CHAIRPERSON PEACE: Good morning, and welcome to  
3 the Special Waste Committee.

4 And, Carl, how you've changed.

5 COMMITTEE MEMBER MARIN: I'm so glad you looked  
6 that way.

7 CHAIRPERSON PEACE: In case you haven't noticed,  
8 we have some changes on the Committee here at the Board.  
9 I would like to welcome two new Committee members. And  
10 while they are new to the Committee, they're definitely  
11 not new to the issues and to what's been going on in  
12 Special Waste, because they've attended all of our  
13 Five-Year Tire Plan Workshops and attended some of the  
14 Special Waste Committee meetings already. So they are  
15 already up to date and ready to go. And so I'd like to  
16 welcome Board Member Rosalie Mulé and Board Chair Marin.

17 Selma, please call the roll.

18 SECRETARY LINDRUD: Marin?

19 COMMITTEE MEMBER MARIN: Here.

20 SECRETARY LINDRUD: Mulé?

21 COMMITTEE MEMBER MULÉ: Here.

22 SECRETARY LINDRUD: Peace?

23 CHAIRPERSON PEACE: Here.

24 And at this time, I'd like to remind everybody to  
25 please turn off your cell phones and pagers or put them on

1 the meeting mode. There are agendas and speaker slips at  
2 the back table. So if you'd like to address the  
3 Committee, you can give them to Ms. Lindrud, sitting over  
4 there in the black jacket and peach colored blouse.

5 So, Members, are there any ex partes?

6 COMMITTEE MEMBER MULÉ: I'm up to date.

7 COMMITTEE MEMBER MARIN: So am I.

8 CHAIRPERSON PEACE: So am I.

9 Just before we begin, I would like to bring up  
10 the Tire Conference that the Board sponsored last week in  
11 Ontario. It was very informative. The food was good.  
12 And I know it takes a lot of planning and time and effort  
13 and coordination to put on an event like this. I just  
14 want to thank our Tire staff for putting on the event. It  
15 was very well coordinated. And I guess special thanks  
16 goes out to Diane Nordstrom-Lamkin for all of her work and  
17 organization.

18 I was just going to ask, what was the final  
19 count? Do you have that yet of how many people attended?

20 DEPUTY DIRECTOR LEE: Madam Chair, I believe it  
21 was somewhere around 130 or so. And that was a  
22 preliminary number.

23 Bob.

24 SUPERVISOR FUJII: That's about right.

25 CHAIRPERSON PEACE: Okay. I guess I was thinking

1 everything was well organized. And I just kind of got  
2 this feeling that maybe we weren't getting the biggest  
3 bang for our buck. We were spending \$100,000 on that  
4 conference.

5           So I did have a talk with Tire staff. I think  
6 they kind of agreed with some of the ideas that we had  
7 that maybe we should relook, reexamine this item again in  
8 the Five-Year Tire Plan and kind of maybe put in a  
9 different recommendation for that item, maybe do some more  
10 specialized type seminars, sessions up and down the state.  
11 Make more specialized -- say we have one on enforcement  
12 and inspection, maybe piggyback on with the LEA sessions  
13 that we already do here at the Board. That way, you know,  
14 more people can come. They can take a couple hours off of  
15 work, instead of trying to take a couple days off work.

16           We could have more specialized ones regarding  
17 like the manifest, new laws and regulations on the  
18 manifest, if our stakeholders felt they needed that. We  
19 already have RAC seminars that we do through our Southern  
20 California RAC Tech Centers. And then with our new  
21 marketing plan that we're suggesting, we're already going  
22 to be targeting decision makers with regard to the RAC and  
23 civil engineering applications. I just think maybe we'd  
24 get a better bang for our buck if we have more sessions up  
25 and down the state and have more targeted audiences.

1               So do you have any comments?

2               COMMITTEE MEMBER MARIN: Madam Chair, one of the  
3 things I would like to see is -- you know, it's got to do  
4 with the purpose. I think that one of the things we need  
5 to be very, very clear on is what is the purpose of this  
6 activity or this other activity or in lieu of this  
7 activity. Once we define what the purpose is -- because  
8 for all intents and purposes, the Tire Conference met its  
9 original purpose. Maybe that purpose is no longer needed,  
10 or maybe a refined media would be it.

11              I think that what we need to be very clear on is  
12 what is it we're attempting to do. What is the big  
13 picture? What do we really want and how are we going to  
14 best achieve that? And maybe if it is getting information  
15 out, maybe a different venue would be -- maybe various  
16 venues, as you are suggesting.

17              I think that what we need to do is every now and  
18 then we have to figure out if what we are doing still  
19 meets the purpose that we want to have. Maybe we have a  
20 different purpose now. Maybe we've outgrown this. You  
21 know, maybe we need to revise it. But I think that  
22 introspection is really, really good. And every now and  
23 then we ought to figure out whether this is still the best  
24 venue for the purposes of this Board. But I definitely  
25 agree that we need to take a look at it again.



1 COMMITTEE MEMBER MULÉ: If I may, Madam Chair. I  
2 agree with both of you. And I found -- the time that I  
3 was at the Tire Conference, I found the sessions valuable  
4 for my own personal knowledge and education.

5 But I agree with Chair Marin, you know, what are  
6 we trying to accomplish with the Tire Conference? And  
7 who's our audience? And I agree. I think this is a good  
8 time, again, for us to just take a step back and look at  
9 what we're doing and how we're doing it and see if we can  
10 target, you know, our audiences in some other fashion,  
11 whether it be targeted specific workshops around the state  
12 on specific topics or if it's a specialized training, as  
13 we talked about in in our P&E Committee meeting on Monday,  
14 is to coordinate training and target the training.

15 So, again, I just see this as a real opportunity  
16 for us to, you know, again, to do what we're doing, but be  
17 even better at it. But, again, I was very impressed with  
18 the sessions that I sat in on. It was very, very good  
19 sessions, very good discussions, excellent presentations.  
20 So I just want to compliment staff, because I used to do a  
21 lot of conferences and workshops myself. And I can  
22 appreciate the hard work that went into it. So thank you  
23 all for your work.

24 CHAIRPERSON PEACE: And thank you for attending.

25 And I should thank you for being the keynote

1 speaker. You gave a wonderful, wonderful speech. You  
2 could have heard a pin drop in that room.

3 COMMITTEE MEMBER MARIN: It was my pleasure, but  
4 I know a lot of people worked hard.

5 And, Jim, I don't know who all wrote the speech,  
6 but I know you reviewed it. But I don't know who it was.  
7 I really appreciate it. You know, you're only as good as  
8 your staff, and I have the best staff in the world. So  
9 just let everybody that worked on it, thank them for me.

10 DEPUTY DIRECTOR LEE: Not a problem, Madam Chair.

11 CHAIRPERSON PEACE: If there aren't any other  
12 comments, I guess we can start with the Deputy Director's  
13 Report, Mr. Lee.

14 DEPUTY DIRECTOR LEE: Thank you, Madam Chair.  
15 Good morning, Committee members. My name is Jim Lee, the  
16 Deputy Director of the Special Waste Division.

17 First of all with regards to your comment,  
18 Ms. Marin, I want to give the due credit to Jon Myers and  
19 Chris Peck in our Office of Public Affairs for doing a  
20 stand-out job with the speech writing. Having had that  
21 type of job in another agency in one of my earlier lives,  
22 I know how difficult it is to get remarks on paper for  
23 other people to deliver and come off right. So he has my  
24 appreciation as well.

25 On the matter of the Conference, staff has no

1 fundamental disagreement with anything that the Committee  
2 is saying here. And we share some of your concerns. I  
3 would like to put some of it into perspective so you have  
4 the full picture. We, too, were kind of disappointed in  
5 the attendance. It seems like our Southern California  
6 venues don't draw as well as our Northern California  
7 venues. Our sister conference, if you will, that was held  
8 in conjunction with the Tire Conference, the Recycled  
9 Product Trade Show, also had a reduced draw, which they  
10 also attribute to the locale.

11           That said, again, there were still changes that  
12 staff sees that were noticeable and you observed as well  
13 about some changes we need to make, you know, in this  
14 venue or in the conference and make sure it is the  
15 appropriate venue for getting out to our stakeholders. I  
16 think our discussions on RAC and civil engineering was  
17 kind of like preaching to the choir to a lot in  
18 attendance. They heard it all before.

19           And also, you know, this year we've had the  
20 additional situation that, as you know, we've run a lot of  
21 additional workshops, training sessions for the Five-Year  
22 Plan, for the Manifest Program. So a lot of the things  
23 that we were discussing at the conference, you know, we  
24 already kind of, you know, been out there working the  
25 crowd throughout the state throughout the year. So I

1 think that also, you know, caused the draw to be  
2 diminished.

3           Some parts of the conference were very well  
4 received, particularly by the local enforcement personnel  
5 that were in attendance in the audience. And so I think  
6 this gets back to the comments you mentioned. More  
7 focused training, you know, for them would probably be a  
8 good idea.

9           So again, with regards to the conference, I think  
10 that staff would still like to preserve funding for this  
11 venue or some different venue to get the message out.  
12 This is still -- in past years and to a more perhaps  
13 limited extent this year, the conference is where we have  
14 a chance to kind of network with our stakeholders, with  
15 our local enforcement grantees. And so it does have a  
16 value. But, again, you know, we do agree that we need to  
17 kind of reconsider exactly how we structure that. So  
18 we'll be prepared to discuss that more with the Committee  
19 and the Board as we bring forth the Five-Year Plan.

20           The only other note, Madam Chair, with regards to  
21 my Deputy Director's report I wanted to bring to your  
22 attention has to do with an issue brought before Congress.  
23 Congress and the National Highway Traffic Safety  
24 Administration have commissioned the National Academy of  
25 Sciences with conducting a study on the relationships

1 among tire rolling resistance, fuel use, tire wear,  
2 vehicle safety, tire longevity, and tire scrappage. Board  
3 staff have been asked to participate in a meeting of the  
4 Study Committee to be held at U.C. Davis on May 17th and  
5 18th.

6 As you know, the Board Tire's Program is  
7 intimately involved in these very areas, and we have  
8 provided funding to the California Energy Commission  
9 investigating many of these study areas.

10 The NAS study will attempt to shed more light on  
11 some of the controversy on whether there are safety, fuel  
12 economy, and other performance related tradeoffs with  
13 longer live tires.

14 Among the specific tasks for the study are:  
15 Addressing the potential for securing technically feasible  
16 and cost effective replacement tires that do not adversely  
17 effect safety or impact tire tread and scrap tire  
18 disposal; considering the relationship that low rolling  
19 resistance replacement tires have on fuel consumption and  
20 tire wear; addressing the cost to the consumer, including  
21 the additional cost of replacement tires and any potential  
22 fuel savings.

23 I will make available to the Committee and Board  
24 members a copy of the study prospective in the event that  
25 you want additional information or want to provide

1 additional input into this study.

2           Madam Chair, that concludes my report. Unless  
3 there are any questions, I'm prepared to proceed with  
4 today's agenda.

5           COMMITTEE MEMBER MARIN: Thank you, Madam Chair.

6           One of the things that -- we just had an  
7 incredible presentation by people from the Rubber  
8 Manufacturers Association that I found most enlightening.  
9 I'm sure some of those people will be making some of those  
10 same presentations.

11           But, really, the tradeoff for me, the  
12 enlightening that came from that was the tradeoff -- yeah,  
13 we can have -- as I understood it, we can have a longer  
14 life tire, but at the expense of something else. So those  
15 tradeoffs are really, really important. You know, be  
16 careful with what you ask, because you might get it. So  
17 we may be asking for something when, in fact, there will  
18 be unintended consequences. But they're not unintended if  
19 we already know that's what would happen.

20           So I think that, you know, I found that  
21 presentation -- and there were like four or five people  
22 that made those presentations -- most enlightening. And  
23 for me, while I'm not able to articulate exactly those  
24 tradeoffs, I think that's where we really need to  
25 emphasize. Because I want, just as anybody else, a longer

1 wear tire. But I'm not going to do that at the expense of  
2 safety.

3           DEPUTY DIRECTOR LEE: Exactly, Ms. Marin. And I  
4 think the intent of this study is to undertake on a  
5 national level some considerations of these issues, which  
6 various states -- you know, which California has been  
7 certainly one of the leaders in investigating these. So  
8 hopefully bring this discussion into a broader area and  
9 perhaps get some uniformity.

10           I think staff in previous years and still  
11 believes that, you know, there are tradeoffs in trying to  
12 match fuel economy with safety considerations with longer  
13 live tires. Some of the objectives may be at cross  
14 purposes to each other. Hopefully, with the work the  
15 Board has commissioned and the information this study will  
16 bring out will shed more light on this and be able to get  
17 to the bottom of this.

18           COMMITTEE MEMBER MARIN: Go ahead and participate  
19 and do it, learn it, and provide information as much as --  
20 I mean, I figure if that can be done, you know, if that  
21 could be achieved, that would be really, really great.  
22 But let's not -- you know, the trees from the forest. How  
23 do you say that? The forest from the trees? You know  
24 what I'm trying to say. Let's just be careful in what  
25 we're attempting to do here, okay.

1           DEPUTY DIRECTOR LEE: Understand.

2           COMMITTEE MEMBER MARIN: Thank you, sir.

3           DEPUTY DIRECTOR LEE: Madam Chair, the first item  
4 on the Committee's agenda this morning is Board Item 19,  
5 Committee Item B. This is an Informational Update on the  
6 Assessment, Management, and Performance Evaluation of the  
7 Used Oil Block Grant Program.

8           As you may recall, we had a third-party  
9 evaluation of the Used Oil Program that was completed and  
10 reported to the Board last summer. The evaluation  
11 recognized program accomplishments in garnering local  
12 jurisdiction interest and support for oil recycling and in  
13 establishing and maintaining an oil collection  
14 infrastructure. However, the report also concluded that  
15 there was a need to move into a new phase of the program  
16 emphasizing program efficiency and cost effectiveness.  
17 Many of the report's findings and recommendations were  
18 included as part of a Used Oil Program implementation plan  
19 presented in the oil allocation item approved by the Board  
20 in December.

21           This item is the first in a series of  
22 informational items that we expect to bring forward to the  
23 Board to keep you apprised of our progress in program  
24 implementation. With that introduction, I'd like to turn  
25 it over to Glenn Gallagher to give you the remainder of



1 the staff presentation.

2 (Thereupon an overhead presentation was  
3 presented as follows.)

4 MR. GALLAGHER: Good morning, Madam Chair and  
5 Committee members. My name is Glenn Gallagher, and I'll  
6 be presenting Committee Item B, Informational Update on  
7 the Assessment, Management, and Performance Evaluation of  
8 the Used Oil Block Grant Program.

9 --o0o--

10 MR. GALLAGHER: After a decade of delivering  
11 services, the Used Oil Program has matured and reached a  
12 level of stability that has led to a fundamental change in  
13 the program. At this point in time, the emphasis is  
14 moving away from get the money out, to promote program  
15 improvements.

16 --o0o--

17 MR. GALLAGHER: This shift was highlighted in the  
18 third-party evaluation of the program completed last year  
19 by CalPoly, as Mr. Lee just described. This item focuses  
20 on the Block Grant Program, primarily on the final topic  
21 of the seven major parts of the implementation plan:  
22 Actively promote program improvements through transfer of  
23 best practices. The other elements will be addressed in  
24 subsequent Board items.

25 --o0o--

1           MR. GALLAGHER: Staff realized that in order to  
2 promote program improvements, the grantees would have to  
3 be evaluated to provide top performers whose best  
4 practices could be identified. Those best practices could  
5 then be adapted and replicated by underperformers in order  
6 to increase the State's used oil recycling.

7                               --o0o--

8           MR. GALLAGHER: A look at the program's last four  
9 fiscal years shows that used oil collection has increased  
10 in each year with about 80 percent of the available oil  
11 now being collected from at-home mechanics. In 1991, just  
12 before the program started, CIWMB estimated that less than  
13 10 percent of the at-home mechanics were properly  
14 recycling their oil.

15                              --o0o--

16           MR. GALLAGHER: Although oil collection has  
17 improved tremendously in the last decade, very real  
18 challenges still exist. More than 2 million gallons of  
19 used oil generated by at-home mechanics is still  
20 improperly disposed. Shade tree mechanics contribute to a  
21 larger share of improper disposal than previously thought.  
22 And oil filter collection is still lagging behind oil  
23 collection with less than 10 percent of the DIY oil  
24 filters properly recycled.

25                              --o0o--

1           MR. GALLAGHER: We've analyzed grantee  
2 performance and have identified six key elements listed  
3 here. These elements are common to the most successful  
4 programs. Actual oil and filter collection is the most  
5 important element. An analysis of public outreach and  
6 education will be the focus of a contract concept coming  
7 before the Board this June.

8                               --o0o--

9           MR. GALLAGHER: With the data we've analyzed, we  
10 identified that approximately 13 percent of the grantees  
11 are performing in the excellent category. The vast  
12 majority of grantees, about 81 percent, are performing  
13 very well, and with a small assist can do even better.  
14 Only about 6 percent of the grantees are underperforming  
15 in most aspects of the program. These grantees have been  
16 identified for focused technical assistance from staff.

17                               --o0o--

18           MR. GALLAGHER: What does a Used Oil Grant  
19 Program look like? Here's an example of the key part of  
20 the program, properly recycling oil at a collection  
21 center.

22                               --o0o--

23           MR. GALLAGHER: In addition to centers, many  
24 jurisdictions operate temporary collection events. Here  
25 is a used oil container in the driver's hand being dropped

1 off at one such event.

2 --o0o--

3 MR. GALLAGHER: Curbside collection of oil is  
4 also an important part of the program. Our research has  
5 shown that convenience is what encourages DIYers to  
6 recycle their used oil. Additionally, successful curbside  
7 programs can reduce improper oil disposal to near zero.  
8 However, at this time, only about 35 percent of California  
9 communities offer curbside collection of used oil.

10 --o0o--

11 MR. GALLAGHER: One of the primary tools Program  
12 staff have at their disposal to understand what makes a  
13 Block Grant Program tick is the budget expenditures. The  
14 cost related to actually collecting the used oil account  
15 for 30 percent of the entire budget.

16 The largest expenses for most grantees is in the  
17 public outreach and education, with more than 40 percent  
18 being spent there. Personnel expenses tend to be  
19 underreported because of in-kind contributions by local  
20 staff.

21 At this time, stormwater expenses for pollution  
22 prevention and stormwater remediation are quite small,  
23 about 1 percent. But we expect these costs to go up as we  
24 get more data and more pilot projects are completed. That  
25 will show that stormwater protection is important as well.

1                               --o0o--

2               MR. GALLAGHER: For the last year, Used Oil  
3 Program staff have been spending more time in the field.  
4 What does that mean? Well, one of the biggest parts is  
5 actually visiting the local grantees and training the  
6 local staff on how to conduct site visits to collection  
7 centers. Of course, collection centers, the Kragens and  
8 AutoZones and the rest of the privately-owned businesses  
9 that help our program so much, are often in need of  
10 technical assistance in just understanding the program.

11                              --o0o--

12              MR. GALLAGHER: A key campaign this past winter  
13 has been to work closely with the local hazardous waste  
14 programs, the local grantees, and the collection centers  
15 themselves to get to the bottom of oil that is abandoned  
16 or left after hours at the center. Program staff educate  
17 grantees on the best management programs from other  
18 jurisdictions and have been quite successful at stemming  
19 the tide of this illegal oil disposal.

20                              --o0o--

21              MR. GALLAGHER: We support many innovative  
22 programs as well.

23                              --o0o--

24              MR. GALLAGHER: Such as this plastic oil bottle  
25 recycling project.

1 --o0o--

2 MR. GALLAGHER: Marina programs represent one of  
3 the ways successful programs are reaching out to new  
4 clients as they strive to increase their gallons of oil  
5 recycled. Staff will be nudging those grantees who have  
6 harbors and lakes in their territory to take advantage of  
7 these relatively inexpensive and proven marina collection  
8 centers.

9 --o0o--

10 MR. GALLAGHER: And, of course, technical  
11 assistance to many grantees will focus on oil filter  
12 collection, which is still a new program for quite a few  
13 grantees.

14 --o0o--

15 MR. GALLAGHER: The good news is that the future  
16 of used oil recycling is very positive due to a number of  
17 factors and favorable trends. Local grantees are  
18 increasingly effective as they build on the experiences  
19 and success of the last decade. As the rate of DIY  
20 households continues to decrease, more oil is changed by  
21 quick lube and businesses that are easier to regulate  
22 than the do-it-yourselfers when it comes to proper oil  
23 recycling. There is also a ready market for all the used  
24 oil that is collected.

25 --o0o--

1           MR. GALLAGHER: Future directions of the program  
2 include an ongoing assessment of local programs to  
3 identify underperforming grantees in need of assistance.  
4 We are working with grantees to help them identify and  
5 reach improper disposers and are encouraging them to  
6 recruit more certified collection centers.

7                               --o0o--

8           MR. GALLAGHER: We are actively encouraging  
9 grantees to use grant funding to increase oil filter  
10 collection. We continue to make improvements as we  
11 evaluate our grantees and our data and initiate focused  
12 contract concepts and competitive grants. Finally, as the  
13 rate of households with DIYers continues to decrease, we  
14 anticipate putting greater emphasis on pollution  
15 prevention efforts towards stormwater protection and  
16 source reduction.

17                               --o0o--

18           MR. GALLAGHER: This concludes the presentation.  
19 If there are any questions, staff would be happy to answer  
20 them at this time.

21           COMMITTEE MEMBER MULÉ: Thank you, Madam Chair.  
22 Thank you very much.

23           I'm really pleased to see that you are having  
24 those jurisdictions that have successful programs share  
25 their best management practices with those that aren't as

1 successful, because I think that's a key, not only with  
2 the Oil Recycling Program, but with all of our programs.  
3 And I would hope that we would do that across the board  
4 with our other programs as well.

5 That in mind, you know, I'm disappointed to hear  
6 that only 35 percent of the jurisdictions have some type  
7 of curbside oil collection program, because I think that  
8 that's key to successful collection. We have to make it  
9 convenient and easy for the DIYers to dispose or recycle  
10 their oil.

11 And so I was just wondering, have we or are we --  
12 is your staff, Jim, working with our Local Assistance  
13 staff to target those communities, you know, and encourage  
14 that to happen so that we can say as another diversion  
15 program that you could add to your SRRE, you can collect  
16 not only used oil, but the oil filters. And there may be  
17 some funding available from the State to do that. So I  
18 was just wondering if we are working with our Legal  
19 Assistance staff in that manner.

20 DEPUTY DIRECTOR LEE: Ms. Mulé, let me ask  
21 Mr. Hernandez to respond to that question.

22 SUPERVISOR HERNANDEZ: Steve Hernandez,  
23 Supervisor in the Used Oil Program.

24 We have met with Office of Local Assistance staff  
25 to coordinate our efforts with the local planning



1 documents and making sure the documents are up to date and  
2 address our activities, and especially in regards to the  
3 problems having to do with compliance. We also have  
4 mentioned our activities and our future direction. So  
5 we're fairly close sync with them.

6           This year one of the topics and one of the awards  
7 we're going to be making at the conference, which is at  
8 the end of April, is to acknowledge the curbside program  
9 excellence in a particular jurisdiction that we're going  
10 to be nominating for an award. It is one of the top  
11 subjects, along with filter collection, that we are  
12 addressing this year to make it a priority for us to  
13 improve both the performance and the availability wherever  
14 possible of those types of efforts.

15           Curbside collection is dependant on many  
16 variables. But we are supportive of it, and we will  
17 continue to make that a high priority for the program to  
18 supplement our certified collection center and  
19 non-certified collection center and temporary events and  
20 other avenues for collection.

21           COMMITTEE MEMBER MULÉ: Good. Because I think,  
22 too, if we provide that incentive, that monetary incentive  
23 to some of these jurisdictions, they're more likely to go  
24 that route. Whether or not they have a franchised hauler,  
25 again, there's additional resources available for them to

1 do that. So I think it would be very helpful for us to go  
2 that route. And I'm glad to hear that you're coordinating  
3 with our Local Assistance. Thank you.

4 DEPUTY DIRECTOR LEE: Ms. Mulé, on that point  
5 also, again, I would just relate my own personal  
6 experience. I change oil on my own family cars and my  
7 daughter's cars. I appreciate the convenience of the  
8 curbside program in Sacramento for being able to recycle  
9 oil at the curb.

10 And I wanted to ask Steve, though, I think some  
11 of the problems -- perhaps one of the reasons why the  
12 curbside hasn't been instituted as much as possible is I  
13 think it's most popular in those jurisdictions like  
14 Sacramento that already have a curbside recycling program.  
15 I think when we try to implement just curbside oil  
16 recycling programs by themselves, they're relatively  
17 expensive. And so that's why the grantees had not adopted  
18 them, and there hasn't been greater in-roads with that.

19 Steve, do you have anything else on that?

20 SUPERVISOR HERNANDEZ: That's correct, Jim. And,  
21 again, it's an avenue that we want to pursue and see where  
22 it is available, particularly in urbanized areas that it's  
23 used to the extent that fiscal resources are available.

24 We're really looking at a composition of selected  
25 elements. Like I said the temporary events, mobile

1 collection in rural areas, and certified collection  
2 centers, they all play a part. We want to make sure that  
3 nothing is neglected at the local level depending on what  
4 their circumstances are.

5 COMMITTEE MEMBER MULÉ: Absolutely. And I agree  
6 with what you're saying. But I do know that there are  
7 curbside recycling programs, you know, throughout the  
8 state for recyclables as well as green waste. So in those  
9 communities where there's existing recycling programs,  
10 this could be, you know, a fairly easy add-on, again,  
11 given the resources that are available.

12 COMMITTEE MEMBER MARIN: Madam Chair, one of the  
13 things that I think is very important that we do, because  
14 we do have the carrot, you know, if that is a priority for  
15 this Board, you know, this is an opportunity for us to  
16 maybe tackle this in a different way. You know, if this  
17 Board as a policy decides that this is going to be an  
18 area -- because, you know, if oil is not disposed properly  
19 has far more negative consequences than if a plastic  
20 bottle is not recycled. And so, therefore, maybe it might  
21 be a better idea for us to really say this will be a  
22 priority and the resources will be allocated to ensure  
23 that that is a priority.

24 I know that, you know, we have really a whole  
25 gamut of different projects and programs that when you put

1 them all together is very nice. But if this is a priority  
2 because this has more of a negative impact on the  
3 environment and we make that determination that this is  
4 the policy of the Board, then the resources will be  
5 accompanying that. And, therefore, you know, more  
6 emphasis from the locals would be there. And I can tell  
7 you that some of the waste companies would gladly  
8 participate in something like that if they know that this  
9 is a priority for the Board. So I don't know whether -- I  
10 know it has to come to the Board. And maybe when we do  
11 our whole priority study, if you will, that we've been  
12 working on, that this would be the best avenue to say this  
13 is a very serious concern.

14 DEPUTY DIRECTOR LEE: I think, Ms. Marin, as  
15 Mr. Hernandez and Mr. Gallagher shared with you, I think  
16 we understand that curbside is important. And we're  
17 certainly going to endeavor to increase that  
18 participation.

19 I think as you also saw, we were doing a fairly  
20 good job. We're getting 80 percent of the DIYers right  
21 now. We're significantly better than any other program at  
22 the Board right now.

23 COMMITTEE MEMBER MARIN: But 20 percent tends to  
24 have a far more negative effect, 20 percent of this than  
25 20 percent of paper recycling. You know what I'm saying.

1           DEPUTY DIRECTOR LEE: I know what you mean.

2           COMMITTEE MEMBER MARIN: So I don't know the next  
3 step, because I know this was a wonderful presentation.  
4 But what is the next step? I know it would be -- Julie,  
5 would it be coming -- would this be part of the session  
6 for the Board to decide on its priorities?

7           CHIEF DEPUTY DIRECTOR NAUMAN: I'm going to defer  
8 to Jim on what he sees as next steps. This is the  
9 overview. This is almost his action plan, if you will,  
10 for how he plans to run the Used Oil Program and giving  
11 you kind of a preview of the areas of emphasis. So when  
12 he comes back with contract concepts and comes back with  
13 the competitive bid cycles he'll be emphasizing the things  
14 you see in this item.

15          DEPUTY DIRECTOR LEE: That's exactly it,  
16 Ms. Nauman. The Board kind of blessed our implementation  
17 plan. We're sharing with you various elements of this.  
18 We're bringing it forward. We intend to make a greater  
19 emphasis on curbside. We're going to have greater  
20 emphasis on oil filter recycling. So the plan is already  
21 in motion. So there's no fundamental, you know, problem  
22 with what the Committee's recommending to us. I think  
23 we're already going down that road.

24          CHIEF DEPUTY DIRECTOR NAUMAN: If I might add,  
25 what you're going to see at the April Board meeting is a

1 discussion of action plans as they relate to the areas of  
2 emphasis that you talked about at your off-site in  
3 January. But in the course of that presentation, I know  
4 it's Mark's intent to also focus on the ongoing work of  
5 the Board separate and apart from these higher areas of  
6 prioritization that you talked about in January. And  
7 across the board what we're trying to emphasize in all our  
8 program areas is there should be comprehensive action  
9 plans with measurable deliverables. And I think that's  
10 what Jim has done for you in this item as it relates to  
11 used oil, which, again, is one of our important ongoing  
12 programs, but not necessarily one of the new action items  
13 that you're going to see next week.

14 COMMITTEE MEMBER MARIN: And in addition, I'm  
15 sure, because education is such an important component of  
16 this, and many of the people, unfortunately, that are not  
17 as -- they're not recycling as much as we would want them  
18 to is because they don't speak the language. I'm sure  
19 there would be a component there to address that need.

20 SUPERVISOR HERNANDEZ: Rosario, what I'd like to  
21 mention is in June the program is bringing forward a  
22 proposed contract scope of work, which we're proposing to  
23 evaluate the effectiveness of our public education  
24 campaign. We have every reason -- so that we can learn in  
25 addition to our perspective on it, and then take the

1 knowledge and apply that as a better management practice  
2 for the future. And next month we have another scope of  
3 work that's coming forward on blending more uses of used  
4 oil. So we're taking four of the different elements of  
5 the CalPoly study and integrating them and bringing them  
6 forward to the Board.

7 And also another element that we're studying  
8 right now through our research and development grants that  
9 are coming to conclusion early this year are on the  
10 subject of stormwater. And as Glenn mentioned, I think  
11 we're going to be seeing more attention towards the  
12 stormwater elements as well under the Block Grant Program.

13 CHAIRPERSON PEACE: Thank you. It does sound  
14 like you've identified the problem areas and you will be  
15 putting your efforts into those areas. So that is very  
16 good.

17 You did say 80 percent of the oil collected, but  
18 only 10 percent of the oil filters are collected. You'd  
19 think if somebody is bringing in their oil, it wouldn't be  
20 that much trouble to bring in their oil filter. So what  
21 do you see is such a big difference? Is it the places  
22 they're collecting it don't want to take the oil filters?

23 DEPUTY DIRECTOR LEE: I think I'll ask my staff  
24 to jump in on this. But I think a lot of the problem is  
25 most of our certified centers are places like auto part

1 stores. Again, the filters are a bulky item, messy item.  
2 There's disposal costs. So, again, there's additional  
3 expense that's incurred in doing that.

4 I think as we noted during part of the  
5 presentation, we're trying to get the grantees to use more  
6 of their Block Grant dollars to assist the certified  
7 centers, you know, with oil filter collection. You know,  
8 as it was obvious from the pie chart, you can see right  
9 now a lot of the jurisdictions like to spend a lot more in  
10 the public education area, not as much perhaps in the oil  
11 collection and/or oil filter area. So, again, we're  
12 trying to re-educate them, if you will, trying to address  
13 the known problem that we just brought to the Committee's  
14 attention this morning.

15 CHAIRPERSON PEACE: Thank you.

16 Just the fact that oil collection has gone up  
17 every year shows we're doing a good job.

18 SUPERVISOR HERNANDEZ: I was going to add to  
19 that, we mentioned this in the briefings. But one of the  
20 successes we've encountered with the City of Los Angeles  
21 and other jurisdictions as well where they've offered a  
22 small incentive back to the do-it-yourselfer so that when  
23 they bring in the used oil filter, they get a little bit  
24 of incentive there. And they showed great success in a  
25 very focused outreach effort in the local communities.



1 Not doing broad media, but rather very focused to the  
2 neighborhood and to the customers of these particular  
3 businesses. So that's something we're looking at closely.

4 And we want to pursue these other options before  
5 we consider something like perhaps a legislative change.  
6 Because right now under the Certified Collection Center  
7 Program, oil filters are not, per se, required to be, you  
8 know, part of the program requirement. Oil is technically  
9 the only requirement, you know, that appears to be  
10 accepted from the public. Filters are not. And that  
11 could be something that we may pursue later on. We want  
12 to take a look at these other administrative solutions  
13 perhaps and management and push the grantees and see what  
14 else, what other effectiveness we can gain out of the  
15 existing system right now.

16 CHAIRPERSON PEACE: Thank you.

17 DEPUTY DIRECTOR LEE: Thank you, Madam Chair.

18 Board Item 20, Committee Item C, is Consideration  
19 of the Grant Awards for the Waste Tire Playground Cover  
20 Grant Program and the Waste Tire Track and Other  
21 Recreational Surfacing Grant Program, Tire Recycling  
22 Management Fund, Fiscal Year 2004-05.

23 Madam Chair, this represents one of staff's  
24 efforts again to improve the efficiencies in the overall  
25 grant administration process. This was kind of the joint

1 solicitation, if you will, giving the applicants a chance  
2 to apply at one time for either one or both of these grant  
3 programs. I think Ms. Elena Yates will continue the rest  
4 of the staff presentation and kind of amplify on that  
5 particular remark.

6 MS. YATES: Good morning, Madam Chair and Board  
7 members. I'm Elena Yates with the Waste Tire Diversion  
8 Program.

9 Today, I'll present staff recommendations to  
10 award the Waste Tire Playground Cover Grant Program and  
11 the Waste Tire Track and Other Recreational Surfacing  
12 Grant Program for Fiscal Year 2004-2005.

13 The purpose of these grant programs is to promote  
14 markets for California-derived crumb rubber products and  
15 to help school districts, local governments, and Indian  
16 tribes replace unsafe playground and recreational  
17 surfacing with a safer alternative. Staff makes  
18 recommendations for the awards based on the scoring  
19 criteria in a process established by the Board. The Board  
20 approved this set of criteria last September for this  
21 year's grant cycle.

22 In the current Five-Year Plan for the Tire  
23 Program, the Board has allocated \$800,000 each for these  
24 grant programs. For the Playground Grant Program, staff  
25 received 53 applications for this year's grants requesting

1 a total of \$1,143,279. Thirty-eight applications received  
2 a passing score and requested \$835,919, which exceeds the  
3 Board's funding by \$35,919.

4 For the Track and Other Recreational Surfacing  
5 Grant Program, staff received 35 applications for this  
6 year's grants requesting a total of \$2,815,967. Thirteen  
7 applications received a passing score and requested  
8 \$1,260,000, which exceeds the Board's funding by \$460,000.

9 In 2004, the Board decided the cost per tire must  
10 be \$15 or less to be considered for funding. This  
11 criteria is applied to these grant programs.

12 In 2001, the Board decided all competitive grant  
13 programs will award funds based on the geographic  
14 distribution of the state's population. The north/south  
15 split criteria is applied to these grant programs. Based  
16 on the north/south split and in descending order of score,  
17 staff has determined for the Playground Grant Program 36  
18 applicants can be awarded grants at the current level of  
19 funding; 19 applicants from Southern California are being  
20 recommended, and 17 applicants from Northern California  
21 are being recommended.

22 For the Track and Other Recreational Surfacing  
23 Grant Program, staff has determined that nine applicants  
24 can be awarded grants at the current level of funding;  
25 three applicants from Southern California are being

1 recommended and five applicants from Northern California  
2 are being recommended for full funding, and one applicant  
3 for partial funding.

4 Staff recommends that the Board approve Option 1,  
5 directing staff to enter into grant agreements with the  
6 applicants identified in List A of Attachment 4 and List A  
7 of Attachment 5 until all of the allocated funds are  
8 exhausted, and adopt Resolution 2005-97 and Resolution  
9 2005-102.

10 Furthermore, staff recommends that the Board  
11 approve the ranking set forth in List B of Attachment 4,  
12 Resolution 2005-97, and List B of Attachment 5, Resolution  
13 2005-102, should the Board wish to reallocate funds to the  
14 passing projects at a later time.

15 This concludes my presentation.

16 CHAIRPERSON PEACE: Both programs are  
17 oversubscribed. It still goes to show these are very  
18 popular programs that we have in the Tire Program.

19 Are there any questions?

20 COMMITTEE MEMBER MARIN: I have a question. How  
21 many tires are we going to be able to get rid of -- to  
22 recycle?

23 MS. YATES: For the waste tire playground cover  
24 with current allocation, we'll be able to use 131,680  
25 tires. For the waste tire track, the current allocation

1 would be 134,420 tires.

2 COMMITTEE MEMBER MARIN: So the average would  
3 be --

4 MS. YATES: For the track, the average cost per  
5 tire would be \$14.94 -- excuse me -- \$10, the average  
6 cost.

7 COMMITTEE MEMBER MARIN: And the other one is a  
8 little bit more.

9 MS. YATES: I don't have that information at  
10 hand.

11 COMMITTEE MEMBER MARIN: I know that it's very  
12 popular. I like the fact that even the average is much,  
13 much better than some of the other programs that were \$90  
14 or something to recycle one.

15 MS. YATES: They're both about \$10.

16 COMMITTEE MEMBER MARIN: Somebody did the math  
17 faster than my brain.

18 So I don't have a problem with it. And I know  
19 that this is the way we're developing the market and we  
20 choose to subsidize this in that way. I mean, I don't  
21 like subsidies. But we are developing a market and,  
22 therefore, we spend the money. I know that when we divert  
23 through RAC or civil engineering that the cost of the  
24 diversion is much less per tire.

25 So long as we understand this is -- however

1 popular these projects are for our local jurisdictions,  
2 you know, the expense is one that has improved a lot, you  
3 know. I do want to commend staff for doing that, because  
4 I remember the last time one of them was like \$90 to get  
5 rid of one tire. So that was unacceptable. But I do  
6 appreciate the cost. And I think that was one of your  
7 criteria, wasn't it?

8 DEPUTY DIRECTOR LEE: Yes, it was. I have to  
9 acknowledge, again, our Committee Chair's advocacy of that  
10 particular criterion. I think it did have the desired  
11 effect, which was, again, to I think have the applicants  
12 put a finer pencil to the projects they were putting  
13 forth, knowing there was going to be a lot of scrutiny  
14 and, indeed, penalties for bringing forth relatively high  
15 cost projects.

16 So with that said, as you mentioned, your point  
17 is very germane. Even saying that, though, these projects  
18 still are more expensive than others in the RAC and civil  
19 engineering field. And that's, again, one of the reasons  
20 why we're trying to focus on RAC and civil engineering as  
21 part of the next focus of the Five-Year Plan.

22 COMMITTEE MEMBER MARIN: Thank you so very much.

23 How does it compare to last year's expenditures?  
24 And you don't have to answer right now. But it would  
25 appear to me that, with the same amount of money, we're

1 getting rid of more tires this year than we did last year;  
2 correct?

3 DEPUTY DIRECTOR LEE: We'll run the numbers. I'm  
4 almost positive that would be the case.

5 COMMITTEE MEMBER MARIN: Thank you so very much.

6 The reason why I do that is to emphasize when we  
7 set a goal, you know, we will meet that. And  
8 jurisdictions, you know, understood that was what it was  
9 going to be and they did their work. So I appreciate  
10 that.

11 CHAIRPERSON PEACE: Even with that cost per tire  
12 restriction, we're still oversubscribed in both programs.

13 DEPUTY DIRECTOR LEE: That is correct.

14 CHAIRPERSON PEACE: Do we have a motion?

15 COMMITTEE MEMBER MARIN: Move approval of  
16 Resolution 2005-102.

17 COMMITTEE MEMBER MULÉ: Second.

18 CHAIRPERSON PEACE: Call the roll.

19 SECRETARY LINDRUD: Marin?

20 COMMITTEE MEMBER MARIN: Aye.

21 SECRETARY LINDRUD: Mulé?

22 COMMITTEE MEMBER MULÉ: Aye.

23 SECRETARY LINDRUD: Peace?

24 CHAIRPERSON PEACE: Aye.

25 COMMITTEE MEMBER MULÉ: I'll move approval of

1 Resolution 2005-97.

2 COMMITTEE MEMBER MARIN: I second that.

3 CHAIRPERSON PEACE: A motion by Board Member Mul  
4 and seconded by Board Chair Marin. And I guess we'll  
5 substitute -- no objections, we'll substitute the previous  
6 roll call.

7 And what is the pleasure of the Committee? Put  
8 this on consent.

9 COMMITTEE MEMBER MARIN: It would be fiscal  
10 consent.

11 DEPUTY DIRECTOR LEE: Thank you, Madam Chair.

12 Board Item 21, Committee Item B, is Consideration  
13 of Scope of Work in Agreement with the California Highway  
14 Patrol to Conduct Enhanced Enforcement, Security  
15 Assistance, Education, Training, and Investigative  
16 Assistance --

17 CHAIRPERSON PEACE: Jim, excuse me. I guess I  
18 forgot to vote on that.

19 Aye on both.

20 SECRETARY LINDRUD: Marin?

21 COMMITTEE MEMBER MARIN: Aye.

22 SECRETARY LINDRUD: Mulé?

23 COMMITTEE MEMBER MULÉ: Aye.

24 SECRETARY LINDRUD: Peace?

25 CHAIRPERSON PEACE: Aye.



1 COMMITTEE MEMBER MARIN: Madam Chair, if I may,  
2 the Resolution I had before me was 2005-97.

3 COMMITTEE MEMBER MULÉ: There's two.

4 COMMITTEE MEMBER MARIN: That's the one that you  
5 were --

6 COMMITTEE MEMBER MULÉ: There was the one for the  
7 track, and then the one for the playgrounds.

8 COMMITTEE MEMBER MARIN: Why are the numbers so  
9 apart when it's in the same --

10 COMMITTEE MEMBER MULÉ: Good question.

11 COMMITTEE MEMBER MARIN: It doesn't matter. All  
12 right.

13 CHAIRPERSON PEACE: We're legal on that now?

14 Okay. Now we're ready to move on.

15 DEPUTY DIRECTOR LEE: Thank you, Madam Chair.

16 Board Item 21, Committee Item D, is Consideration  
17 of Scope of Work and Agreement with the California Highway  
18 Patrol to Conduct Enhanced Enforcement, Security  
19 Assistance, Education, Training, Investigative Assistance,  
20 and Surveillance for the Waste Tire Enforcement Program,  
21 Tire Recycling Management Fund, Fiscal Year 2004-2005.

22 In this item we've reconsidered our funding needs  
23 in this program, and we've addressed concerns and problems  
24 that were encountered in our implementation of this  
25 program to date. We've also considered and acknowledged

1 concerns by some stakeholders about the focus of perhaps  
2 the overemphasis of some of the surveillance activities on  
3 permitted facilities. Mr. Petker will discuss more of  
4 those as he goes through his presentation.

5 Also as you will note, this item has been revised  
6 to reflect changes in the scope of work to remove any  
7 ambiguity about Board staff's oversight of all elements of  
8 this scope of work and to more properly note in the  
9 Resolution that the \$400,000 requested is for two years.

10 So with that, I'd like Mr. Darryl Petker of the  
11 Tire Program to make the remainder of the staff  
12 presentation.

13 MR. PETKER: Good morning, Madam Chair, Committee  
14 members. My name is Darryl Petker. I'm with Special  
15 Waste. I'll be talking about the proposed agreement with  
16 the CHP. It's with the commercial vehicle section of the  
17 CHP here.

18 As Mr. Lee mentioned, it's a revised scope of  
19 work, and that's in response to some questions and  
20 concerns both from you and from stakeholders, our staff,  
21 and the grantees that we've gotten as we've put that out  
22 here today. There are three people in attendance that  
23 will be available for answering questions. Two of those  
24 are from the CHP. There's Lieutenant Steve Dowling. And  
25 next to him is Mike Chaffee. And we have an EA who is in

1 support of this also, Marty Scholl from Calaveras County,  
2 if you have questions from any of those.

3           What I'd like to do is start -- part of what  
4 we're going to be doing and talking about and asking for  
5 is talking about training. We're finding that's pretty  
6 important in this program. We're stepping up that issue.  
7 And we've learned that as we go. We've been using the  
8 current contract to develop some training. We're looking  
9 at an hour-and-a-half training session. Part of that  
10 training will be a training video that breaks up that  
11 information amongst other handouts and stuff.

12           While the training video is not done, we have a  
13 short section today for you to kind of see where we're  
14 headed with that so you can see it. We'll take a  
15 ten-second break. I'll explain the second section that  
16 will talk about some actions the CHP has supported us on.  
17 So with that, if we can roll the video, please.

18           (Thereupon a video presentation was made.)

19           MR. PETKER: That was the first pause. We have  
20 another 30-second section coming up I want to talk about  
21 or show you in a second. But the target audience is law  
22 enforcement people. This isn't something we're going to  
23 go out to the haulers or the public. It will be for  
24 cooperative effort.

25           COMMITTEE MEMBER MARIN: Might be a good idea.

1           MR. PETKER: Our first effort will be the  
2 commercial officers within CHP. They're the ones that  
3 work with us on this contract to provide us with support.

4           To then expand that to the road patrol people,  
5 the guys on the street doing the accidents, things like  
6 that, so we have more eyes and ears out there helping us.  
7 As we do that training, we'll include the grantees in  
8 there so those CHP officers can meet the grantees and  
9 there can be some interaction with that. Then after we  
10 finish the CHP, we'll start expanding into local  
11 enforcement, those city police that are interested and the  
12 sheriffs that are interested.

13           COMMITTEE MEMBER MULÉ: By grantees, you mean the  
14 LEAs?

15           MR. PETKER: The LEAs that have accepted Waste  
16 Tire Enforcement money that are working with us, which I  
17 believe there are 36 now. So there's been quite an  
18 increase.

19           COMMITTEE MEMBER MARIN: I just have an idea that  
20 came to me as we're speaking. There are some police  
21 programs, and there are some in Spanish. And I know  
22 because in my city when I was the Mayor, we worked a  
23 couple of times where they were filming like Cops, the  
24 program Cops or something like that. But there are some  
25 in Spanish. And for some of these people that I

1 noticed -- I just happened to notice the person they  
2 stopped -- I don't know whether that was an actual or it  
3 was part of the film crew. But because we have such a  
4 problem crossing the border with the tires being dumped  
5 illegally on both sides of the border, that we may  
6 actually -- you know, working with some of TV producers  
7 and the CHP. You know, I could probably give you some of  
8 the producers' names. That may be something we can  
9 actually work together to do that.

10 MR. PETKER: We can add that in there or make a  
11 separate one for that, too. And we've thought about that,  
12 and we probably have some handouts that will help the  
13 officers working in Spanish and maybe using some phrases  
14 they can use with it.

15 COMMITTEE MEMBER MARIN: But what I'm saying is  
16 actually film a program like Cops in Spanish to get them  
17 to agree to produce a tires and the environment and  
18 protecting. I'll work with you on that one.

19 MR. PETKER: We have some staff that are fluent  
20 in Spanish that could help us with that in the Tire  
21 Program.

22 COMMITTEE MEMBER MARIN: And then you have really  
23 wonderful CHP officers that speak Spanish.

24 MR. PETKER: We have great guys down there along  
25 the border who have expressed an interest in that also.

1           As you know, there was an incident in Southern  
2 California not too long ago where a couple of our  
3 inspectors were put in harm's way. Part of what the CHP  
4 contract covers now and will cover in the future, if  
5 approved, will be security for our people.

6           Now, that security could be minimal. Like, for  
7 instance, a few weeks ago, we had some security issues  
8 down in Southern California. We had a couple of days we  
9 were out in the desert. It's a little bit of a high crime  
10 rate area due to drugs and vagrants and things like that.  
11 We had a couple of sites that were picked up by the Waste  
12 Tire Unit, and there were a couple of officers there.

13           On one site where we had a couple officers that  
14 were actually held at gunpoint and a shot was fired, we  
15 worked with the CHP to develop a little higher profile  
16 security aspect for that. So what I'm going to show you  
17 in a minute is the high profile aspect of that, to show  
18 the CHP really stepped it up for us, met our requirement  
19 to keep our people safe.

20           But I don't want you thinking this is the norm.  
21 This was really a step up. We worked with them. They  
22 went out and looked at it. They called the security level  
23 based on the information we gave them and some stuff. So  
24 please remember that we also have security where we  
25 require just one officer as a standby.

1           This one is about 15, 20 seconds long. And it  
2 was a site that was recently cleaned up in Southern  
3 California.

4           (Thereupon a video presentation was made.)

5           MR. PETKER: Now what this is showing is the area  
6 has been cleaned and workers are going in to do their job.

7           That's the end of it. But that's a little bit of  
8 touch of how some of this money is being spent also.

9           I might add, in that incident, if you caught it,  
10 there was actually a transient in there who was carrying a  
11 pretty big knife, which the CHP pulled out, turned over to  
12 the sheriffs, and took away. There was a potential threat  
13 at that location. If there's no questions about that,  
14 I'll proceed.

15           Our request for this comes from a lot of work,  
16 with not only your staff, but after talking to some of our  
17 own inspectors, the grantees, or the LEAs, and from  
18 comments we've gotten with CHP officers.

19           The contract itself is going to cover many areas.  
20 And you have a sheet up there that kind of describes some  
21 of those areas. I'll touch on them lightly and be happy  
22 to answer any questions if you have any. But the main  
23 area is training and education. There's a big push for  
24 us. It's training and education of CHP officers,  
25 eventually going down to the local enforcement, our staff,

1 and the grantees is what we're heading for with this one.

2           There will be roadside checkpoints. As Jim  
3 talked about earlier, we received a lot of concern not  
4 only from stakeholders, but some of our staff as to how  
5 we're using that resource. We've re-thought about that.  
6 We're now going to use it to do checkpoints, not just on  
7 end-use facilities. We are also going to start targeting  
8 illegal dumping areas and try to figure out when they're  
9 going to use it, use some surveillance, and hold  
10 checkpoints out there.

11           Aerial support will be provided for following bad  
12 guys or looking for sites. And this aerial support  
13 differs from the previous aerial support in that this will  
14 be a lot more coordination by us and with our people or  
15 the grantees on the airplane to actually help locate some  
16 of those sites and so they can go back and do follow up.

17           There will be surveillance of waste pile  
18 locations and monitoring. They'll help us with this. If  
19 we want to follow someone in particular, we'll work with  
20 the CHP to do that. They have done in the past and  
21 hopefully will continue investigative support. They have  
22 some environmental crime officers that, once we've got  
23 things indicated, we can help them come in to help our  
24 people form an investigation or do some of the  
25 investigative work that we can't do, we don't have the



1 authority to do, which has helped in a couple cases. One  
2 of the cases actually worked itself out. We have somebody  
3 on probation, have done some follow-up on it, and he  
4 doesn't seem to be doing it anymore. So lesson learned.

5 And then there's follow-up and support for some  
6 of these issues also, any of those that the CHP can help  
7 us with.

8 What we're finding now is we're finding some of  
9 the grantees -- Mr. Scholl here from Calaveras got a call  
10 recently that CHP was asking for turning over some sites  
11 to him. So the message is starting to get out there, and  
12 the CHP is starting to notice it. And it's starting to  
13 snowball. I think there's going to be some good return on  
14 this contract.

15 All right. If you haven't anything -- I'm pretty  
16 much done with my conversation. We have some people here  
17 to answer questions, or I can answer some if you have  
18 some.

19 COMMITTEE MEMBER MULÉ: Thank you, Madam Chair.

20 Darryl, if you could just go over some of the  
21 numbers that you shared with me at our briefing regarding  
22 some of the measurements. What have we -- have we used  
23 these dollars? How many checkpoints have we covered? How  
24 many aerial sites? How many vehicles? If you could just  
25 share with us some of the findings, I think it would help

1 the audience and all of us have a better understanding of  
2 how these dollars are spent and how successful we've been.  
3 Thank you.

4 MR. PETKER: Thank you for that segue. I  
5 appreciate it.

6 In the past, we keep track of all the activities  
7 that we've done. And a highlight of some of those, for  
8 the aerial support that the CHP has provided, they have  
9 logged in over 433 sites for us throughout the state on  
10 their flyovers. We feel a lot of that has been done now.  
11 That's why we're going more selective with our aerial  
12 support in that. But that's 433 sites. Some of those we  
13 found, some of them we didn't. Some of them weren't in  
14 our regulations to cover. And we haven't even gotten to  
15 all of them in the backdraft because of the manpower. We  
16 don't have the manpower to go out and see those among some  
17 of our other duties.

18 The checkpoints we talked about, we've done over  
19 70 checkpoint locations. We're ramping those up. More  
20 than half of those have been done in the last year out of  
21 three. Out of those 70 sites, we've stopped 400 vehicles.  
22 The number of vehicles stopped at a checkpoint ranges from  
23 none, where there was no activity, up to 26 on some of the  
24 major sites. Out of all those cars that have been  
25 stopped, there was 65 non-registered. In other words,

1 weren't registered with the Waste Board. That doesn't  
2 even get to whether they were registered with the DMV or  
3 not. One hundred violations and letters of violations --  
4 in other words, citations issued by the CHP or letters of  
5 violation sent to them by us. So one out of every four  
6 cars was either cited or given a letter of violation.

7           Now, these checkpoints aren't just used as a  
8 punitive or enforcement opportunity. They're also used by  
9 our inspectors and the EAs to offer education. So for  
10 those that are minor or didn't know or first time, they  
11 would be handed information. They would be given a sheet,  
12 this is what you have to do. Our inspectors would sit  
13 there and work with them with the CHP standing by and say  
14 this is how you fill it out. Here's the number you have  
15 to call to get your information. So it's both a training  
16 and an enforcement issue on those.

17           We've also done, as I mentioned earlier, a couple  
18 of investigations. One person is now on probation and  
19 seems to be behaving. And we've done two trainings at the  
20 request of the CHP. One was in cottonwood in Northern  
21 California. That worked out partially because they wanted  
22 the training and one of our haulers was saying they  
23 weren't sure if CHP understood that. CHP was very  
24 receptive to it. We went up and talked to them. The  
25 other was a large setting done in San Bernardino they

1 requested. We had 50 commercial officers sitting there,  
2 and we gave them information about that. We plan on  
3 expanding that.

4 A little bit more about the training. There are  
5 nine divisions of the CHP within the state of California.  
6 That's 100 offices within the state. And we plan on  
7 hitting them all, hopefully, or as many as we can as this  
8 develops.

9 Thank you for that question.

10 COMMITTEE MEMBER MULÉ: Thank you.

11 And also as we were discussing -- in my  
12 discussions with staff yesterday, this is a really good  
13 opportunity to tie into what we were talking about Monday,  
14 Chair Marin, in our training with the LEAs. Darryl had  
15 mentioned there were several LEAs that requested joint  
16 training with the CHP. And so it really ties in nicely  
17 with what we were discussing Monday from our various  
18 stakeholders about joint training. And so I think this is  
19 a great opportunity. This is a great example of joint  
20 training and how it can work. And have a CHP officer here  
21 that wants to --

22 MR. DOWLING: I'm Lieutenant Steve Dowling with  
23 CHP.

24 Just to do a follow up with that. One of the  
25 things we were discussing and that I've agreed to do and

1 we would like to, twice a year right now we give allied  
2 agency commercial enforcement training as the lead  
3 commercial enforcement agency within the state. And we  
4 have a variety of -- we have usually attended by  
5 approximately 25 to 30 officers from a variety of agencies  
6 around the state. So what we're going to do is create a  
7 block of training within that that's going to go over and  
8 integrate some of the things we've been talking about with  
9 that.

10 We're also going to include that in our own  
11 enforcement training. We have about 100 officers a year  
12 that are newly trained commercial folks. So we'll be  
13 including it in both those. So I think it's going to be  
14 the first step. And we'll look for other opportunities to  
15 do that as well, to do that outreach. And it's going to  
16 be one thing to hit all the offices, but, really, our  
17 target from internally is to make sure our commercial  
18 folks who are out there consistently doing it and most  
19 likely the ones who are going to understand not only  
20 enforcement but the educational aspect of it. So I think  
21 that's where we're going to succeed in that.

22 COMMITTEE MEMBER MULÉ: Thank you.

23 COMMITTEE MEMBER MARIN: Thank you, Lieutenant.  
24 I know you guys do great work.

25 Now let me ask you this. Is this the first time

1 we're granting \$400,000, and have we done that before?

2 When was the last time that we granted what amount of  
3 money?

4 MR. PETKER: There were two other agreements that  
5 have been in place. One of them is ongoing and will end  
6 the 15th of May. And there was another one that has --

7 COMMITTEE MEMBER MARIN: How much was that for?

8 MR. PETKER: One was for 400 and another for 2.

9 COMMITTEE MEMBER MARIN: For 200?

10 MR. PETKER: For 200, yes.

11 COMMITTEE MEMBER MARIN: I don't have a problem  
12 at all with this. The only question I have, Madam  
13 Chair -- and this contingency clause here of \$25,000, I'm  
14 very familiar with what happens with contingencies. So  
15 I'd rather not give a contingency. Because if we do allow  
16 it, it will be spent. If we allow \$10,000 in contingency,  
17 it will be spent. If we allow 50,000 or 100,000 or  
18 another 400,000, it will be spent. And I'd much rather  
19 approve that when that contingency comes before us. I  
20 just don't want to write a blank check for that.

21 CHAIRPERSON PEACE: Have we had a contingency  
22 line item like that in the past?

23 DEPUTY DIRECTOR LEE: It's not a standard item in  
24 most of our contracts. Again, in a lot of private sector  
25 contracts, it is standard.

1           But I appreciate and I understand Ms. Marin's  
2 remarks about this. Again, we put it in there as kind of  
3 a prudent backup. But it's not essential to be approved  
4 as part of this item.

5           And I also want to acknowledge other concerns  
6 about the funding levels in the past. I alluded to some  
7 of these in my opening remarks. We haven't had the staff  
8 or we didn't have the local agencies that were involved in  
9 our program in some of the earlier years basically to  
10 utilize the allocated funds to full advantage. And then  
11 we've had to revert significant amounts of some of those  
12 contracts. But I guess what we wanted to try to hopefully  
13 convince you of this morning is we've thought long and  
14 hard with regards to what our ongoing needs are,  
15 especially in light of the significant ramping up that's  
16 taking place in our local enforcement program. And so we  
17 wanted to make sure that you had that perspective.

18           COMMITTEE MEMBER MARIN: And, Madam Chair, just  
19 to finish that, I feel very strongly about this. I think  
20 we need to have something like that. And what you have  
21 done, Bernie, is just amazing, you know. I would presume  
22 that what we will have at the end of the \$400,000  
23 expenditures or \$375,000 expenditure, we would have  
24 something like this with the actual results of how each  
25 one of these tasks was met and the success of each one.

1           So if it is okay, Madam Chair, I'd like to move  
2 approval of \$375,000.

3           MR. PETKER: May I make just one comment? On  
4 those numbers, those are estimates. They may vary within,  
5 but those are kind of our guidelines I'm going to try to  
6 go by.

7           CHAIRPERSON PEACE: You said the total cost was  
8 407 --

9           MR. PETKER: It didn't quite match. I just  
10 evened it out to 4. And as Board Member Marin said, if we  
11 need more, we'll be happy to come back and ask. And it  
12 would be your decision.

13          CHAIRPERSON PEACE: Thank you. I'm glad to hear  
14 you have all these performance measures in place and that  
15 you will use those to continuing to evaluate the program  
16 and that --

17          MR. PETKER: After each activity, we actually  
18 have the inspector, whether it's the EA or the Waste Board  
19 inspector, write a little write-up. So we have something  
20 from each activity that we do with the CHP.

21          COMMITTEE MEMBER MULÉ: If I could just add,  
22 Madam Chair, as we discussed yesterday, we're going to try  
23 to coordinate this training in conjunction with our  
24 Permitting and Enforcement Training Programs.

25          COMMITTEE MEMBER MARIN: Let me just say I would



1 not be opposed to using those \$25,000 extra for that  
2 particular training so it is together. Whatever.

3 COMMITTEE MEMBER MULÉ: Thank you, Madam Chair.

4 CHAIRPERSON PEACE: So are you suggesting we  
5 leave it in?

6 COMMITTEE MEMBER MARIN: No. No. No. No. My  
7 motion is for \$375,000, 2005-99 revised.

8 COMMITTEE MEMBER MULÉ: Second.

9 CHAIRPERSON PEACE: Okay. We have a motion by  
10 Board Chair Marin and seconded by Rosario Mulé -- to many  
11 R's and M's. Sorry. Rosalie Mulé.

12 Take the roll.

13 SECRETARY LINDRUD: Marin?

14 COMMITTEE MEMBER MARIN: Aye.

15 SECRETARY LINDRUD: Mulé?

16 COMMITTEE MEMBER MULÉ: Aye.

17 SECRETARY LINDRUD: Peace?

18 CHAIRPERSON PEACE: Aye.

19 Because this is a fiscal item, we will move that  
20 to the full Board with full Committee support.

21 MR. PETKER: Thank you very much.

22 DEPUTY DIRECTOR LEE: Board Item 22, Committee  
23 Item E, is Consideration of Adoption of Negative  
24 Declaration and Approval of the Beebe Family Ranch Waste  
25 Tire Site Remediation Project.

1           Today's action is a request for the Board to  
2   approve adoption of the Negative Declaration prepared  
3   under the direction of Board staff in fulfillment of the  
4   Board's CEQA lead agency responsibility on this project.

5           The Beebe Family Ranch site, along with several  
6   other sites collectively referred to as the Sonoma sites,  
7   constitute the largest known remaining tire piles in the  
8   state of California. The owners of these sites contended  
9   the tires had been placed for legitimate erosion control  
10  purposes under the osmosis of a local governmental entity,  
11  the Resource Conservation District, and well before the  
12  advent of laws administered by the Board regulating tire  
13  use and disposal.

14          Among other considerations, concerns about  
15  environmental impacts associated with any tire cleanup  
16  slowed progress on remediation to date. Giving due  
17  deference to the landowners' arguments and the  
18  environmental sensitivity, in the summer of 2003, the  
19  Board approved the possibility a negotiated cost recovery  
20  of tire remediation costs, with the landowners' commitment  
21  to secure all necessary permits and pay for any necessary  
22  environmental mitigation measures.

23          As this item includes consideration of approval  
24  of the project, Ms. Karen Gerbosi will provide an update  
25  at the Board meeting with respect to the Beebe Family

1 Ranch fulfilling the conditions previously set by the  
2 Board for negotiated cost recovery, after which the Board  
3 may retire to closed session to deliberate a decision on  
4 an offer of compromise as to this matter.

5 Albert Johnson will now make the remainder of the  
6 staff presentation and answer any questions you may have.

7 MR. JOHNSON: Good morning, Madam Chair. This is  
8 Albert Johnson, Tire Remediation.

9 This Karen Gerbosi site, the Beebe Family Ranch,  
10 is the largest of the Sonoma waste tire sites and looks  
11 like it's going to be the first one to be cleaned up.  
12 We're scheduled to begin remediation in June of this year.

13 The Board is the lead agency for CEQA on this  
14 site, and we have a Negative Declaration that needs to be  
15 adopted so she can move forward and get -- she has a few  
16 more permits she needs before we begin work.

17 The cost to clean up the site is \$1.2 million,  
18 the estimate we currently have. And the other day we  
19 received a letter from Karen supporting this item, you  
20 know, asking you to approve it so the Negative Dec can be  
21 adopted.

22 Board staff recommends adoption of Resolution  
23 2005-100. And I'd be happy to answer any questions you  
24 may have.

25 COMMITTEE MEMBER MARIN: Not necessarily a

1 question, but rather a comment. Because if I recall  
2 correctly, I was here when we went and visited this  
3 particular site. And it sounded to me at that point in  
4 time that the lady was, you know, doing -- and she I know  
5 has worked diligently to try to get this done. But why  
6 has it taken so long? I thought we were going to be  
7 moving rather quickly on this one.

8 MR. JOHNSON: Well, all of these Sonoma sites, I  
9 think we've been working on them for ten years or  
10 something like that. This one obviously is going to be  
11 the first one to be cleaned up. I think there's a lot of  
12 reasons. We could probably talk all afternoon.

13 COMMITTEE MEMBER MARIN: No. No. It's going to  
14 take you even longer to get it done.

15 MR. JOHNSON: But Karen has worked extremely hard  
16 to get where she is. She's spent significant money to  
17 develop these documents and studies that she's done on her  
18 project. So looking forward to going out there and  
19 cleaning it up.

20 CHAIRPERSON PEACE: This is so exciting that  
21 after ten years we're finally going to be cleaning up the  
22 first of these sites. This is great.

23 I did want to make one thing clear, that in the  
24 item it does say we currently have \$1.5 million available  
25 for these type of cleanups, and it's going to be estimated

1 that her cleanup is going to be 1.2. I want to make it  
2 clear that that is not the negotiated cost recovery. The  
3 1.2 is not what we're --

4 MR. JOHNSON: No. The 1.2 is the cost estimate  
5 that we have to clean up the site. The negotiated cost  
6 recovery will probably be a percentage of the total actual  
7 costs of the remediation.

8 CHAIRPERSON PEACE: It will be determined by the  
9 Board in closed session. I wanted to make that clear.

10 Do we have a motion?

11 COMMITTEE MEMBER MULÉ: Motion to approve.

12 COMMITTEE MEMBER MARIN: Second.

13 CHAIRPERSON PEACE: We have a motion by Board  
14 Member Mulé and seconded by Board Chair Marin.

15 And call the roll.

16 SECRETARY LINDRUD: Marin?

17 COMMITTEE MEMBER MARIN: Aye.

18 SECRETARY LINDRUD: Mulé?

19 COMMITTEE MEMBER MULÉ: Aye.

20 SECRETARY LINDRUD: Peace?

21 CHAIRPERSON PEACE: Aye.

22 Okay. This item here we'll move to the full  
23 Board and give Karen Gerbosi a chance to state her case,  
24 and then we will go into closed session to determine the  
25 cost recovery.

1           DEPUTY DIRECTOR LEE:  Yes, Madam Chair.  That's  
2 exactly how we would see this coming down.

3           And I want to take this opportunity again to  
4 acknowledge the cooperation of Ms. Gerbosi and her  
5 consultants in moving this thing expeditiously forward.

6           I can appreciate Ms. Marin's comments with  
7 regards to this.  But the environmental sensitivities of  
8 this project, political sensitivities of this project,  
9 created some very unique challenges for Board staff, you  
10 know, to deal with.  I think the Board set the strong  
11 precedent in 2003 in coming up with the negotiated cost  
12 recovery Board item which basically took all of these  
13 things into consideration and allowed a lot of these  
14 disparate issues to come together and put us on a track  
15 for what we expect to be the first cleanup of the Sonoma  
16 sites commencing this summer.

17           COMMITTEE MEMBER MARIN:  Perfect.

18           DEPUTY DIRECTOR LEE:  Madam Chair, Agenda Item 23  
19 is Consideration of the Adoption of Proposed Emergency  
20 Regulations and Request for Direction to Formally Notice  
21 Amendments to the California Uniform Waste and Used Tire  
22 Manifest System.  Tom Micka will make the staff  
23 presentation.

24           MR. MICKA:  Good morning, Madam Chair and members  
25 of the Committee.  My name is Tom Micka.  Keith Cambridge

1 and I are here today to present Agenda Item Number 23.

2           At the February 2005 Board meeting, the Board  
3 directed staff to prepare and submit emergency regulations  
4 for the implementation of a new comprehensive trip log to  
5 replace the existing waste tire manifest form and tire  
6 trip log in the California Uniform Waste and Used Tire  
7 Manifest System. To that end, staff developed proposed  
8 regulatory language that incorporates the use of the new  
9 comprehensive trip log while phasing out the use of the  
10 waste tire manifest form and the waste tire trip log.  
11 Copies of the proposed language are available on the back  
12 table.

13           In addition, staff is proposing a few additional  
14 changes that do not appear in the proposed revisions that  
15 were published with the agenda item. These changes are on  
16 the page that you have entitled the errata sheet, which is  
17 located on the back table.

18           I'd like to mention that there are a couple of  
19 additional sections that need to be included in the  
20 errata. And it's the same language that you see on the  
21 errata sheet in front of you that says that businesses may  
22 use their own form once approved by the Board in lieu of  
23 the Board required form. And so that would be in Section  
24 18459.1.2(a)(4), and then 18459.2.1(c), and also in  
25 18460.2, that would be (b)(1). And we'll update this

1 errata sheet for the Board meeting.

2           And staff is requesting that the Board approve  
3 Option Number 1 in the agenda item. Under Option Number  
4 1, the Board would adopt Resolution 2005-101. This  
5 Resolution includes adopting as emergency regulations the  
6 proposed revisions to the current regulation presented  
7 today directing staff to file these proposed emergency  
8 regulations with the Office of Administrative Law and  
9 making a finding that the proposed changes qualify for a  
10 categorical exemption under the California Environmental  
11 Quality Act. In addition, Option Number 1 directs staff  
12 to proceed with the final rulemaking process for these  
13 proposed changes to the regulations.

14           This concludes staff's presentation.

15           DEPUTY DIRECTOR LEE: Madam Chair, just one  
16 question for my staff, myself, on this one.

17           Tom, does the errata sheet contain all of the  
18 proposed changes, or are there some additional ones that  
19 you wanted --

20           MR. MICKA: No. Those section numbers I read  
21 off, there will be three additional erratas added to the  
22 errata sheet.

23           DEPUTY DIRECTOR LEE: Madam Chair, I can  
24 appreciate there might be some confusion with regards to  
25 that. I would think when we come back to the Board



1 meeting, we'll have it all on one errata sheet.

2           The intent here was basically just to make some  
3 minor modifications to the regulations to more clearly and  
4 explicitly express the fact that the haulers will be able  
5 to use their own invoices as long as they have been  
6 pre-approved by Board staff with all the required manifest  
7 information. So in our attempt to introduce additional  
8 clarity, we've brought a measure of confusion, which we  
9 will rectify by the Board meeting.

10           CHAIRPERSON MARIN: We're just going to move this  
11 to the full Board?

12           DEPUTY DIRECTOR LEE: Yes. That would be my  
13 proposal.

14           COMMITTEE MEMBER MARIN: Could I just ask one  
15 very quick question? I know that we've had enough  
16 workshops dealing with this. This particular change or  
17 whatever the actual wording is, that has already gone out;  
18 right? People understand what is it we're attempting to  
19 do or have they seen it --

20           DEPUTY DIRECTOR LEE: This basically just  
21 clarifies what is everybody's understanding. We have  
22 reread this, and there might have been some confusion  
23 about that in reading the regulation. So we wanted to  
24 make it crystal clear that it -- like I said, you know,  
25 they can use their forms as long as they're pre-approved

1 and contain all the necessary information.

2 COMMITTEE MEMBER MARIN: We attempted to do  
3 something. And then if we created confusion, that's not  
4 what we wanted to do. So that's no problem.

5 CHAIRPERSON PEACE: In all the workshops we had,  
6 we made it real clear in the presentations that the  
7 haulers can use their own invoices if they were approved  
8 by the Board. They could use their own invoices instead  
9 of the comprehensive trip log if they were on the EDT or  
10 web-based electronic system. And the regulations that  
11 staff drew up here, the changes, didn't, to me, make that  
12 as crystal clear as I wanted it to be. So they're making  
13 that crystal clear.

14 COMMITTEE MEMBER MARIN: Thank you.

15 DEPUTY DIRECTOR LEE: Thank you, Madam Chair.

16 COMMITTEE MEMBER MARIN: Do we need to vote on  
17 that? Does that require a vote?

18 CHAIRPERSON PEACE: I guess because they're going  
19 to bring us a sheet that's a little more comprehensive --

20 DEPUTY DIRECTOR LEE: We'll give the presentation  
21 at the Board meeting just so there's no confusion with  
22 regards to the situation.

23 COMMITTEE MEMBER MARIN: So it will be presented  
24 to the full Board.

25 DEPUTY DIRECTOR LEE: Next item is Agenda Item

1 24, Consideration of the Grant Awards for the Waste Tire  
2 Enforcement Grant Program for Fiscal Year 2004-2005.  
3 Again, this is a follow-up to the item we brought forth to  
4 the item last fall where basically we looked at the Waste  
5 Tire Enforcement Program and responded to Board and  
6 stakeholder concerns in how it should be revised and  
7 revamped to make it more cost effective and efficient to  
8 look at ways to increase coverage of the state, you know,  
9 with this particular program. And I think as Ms. Amalia  
10 Fernandez will share with you in a minute, I think we've  
11 been successful in large measure on both accounts. So  
12 with that, I'd like Amalia to present the remainder of  
13 this item.

14 MS. FERNANDEZ: Good morning, Committee members.  
15 I'm Amalia Fernandez of the Waste Tire Management Branch.

16 This agenda item presents staff's recommendation  
17 to award grants for fiscal year 2004-2005 Waste Tire  
18 Enforcement Grant Program. Staff is recommending funding  
19 grant applications based on the criteria and evaluation  
20 process approved by the Board in October of 2004, which  
21 provides for consistent inspection coverage throughout the  
22 state, establishes caps on ineligible expenses and  
23 charges, defines procedures for allocating available  
24 funding when the program is oversubscribed, and provides  
25 ongoing program evaluation.

1           In November of 2004, staff distributed the Notice  
2 of Funds Available, which is also known as NOFA, to  
3 approximately 915 interested parties. Those were local  
4 governments mostly.

5           The last date to receive applications was January  
6 14th, 2005. Board staff received 38 applications and is  
7 recommending funding for all 38 applicants, for a total of  
8 5,249,334.77. With the Board's approval of this item, the  
9 proposed grantees would service approximately 71 percent  
10 of the population in California. Attachment 1 of the item  
11 lists the applicants.

12           For the record, I want to make the following  
13 correction. Grant Number TEA 11-041, which is in the  
14 middle more or less of your attachment, it's incorrectly  
15 listed as City of Chowchilla. For the record, the  
16 applicant is the County of Madera, and the City of  
17 Chowchilla is a participant. We're going to be amending  
18 the Resolution for next week's Board meeting.

19           On that subject, the staff is awaiting an  
20 authorization letter from the County of Madera. In  
21 addition, staff is also awaiting an authorization letter  
22 from the City of Oakland, which is Grant Number TEA  
23 11-04-33. Staff is actively working with these  
24 jurisdictions to obtain the necessary letters of  
25 authorization and will provide a status at next week's

1 Board meeting.

2 In conclusion, staff is recommending Option 1,  
3 which is the approval of the proposed awards and adoption  
4 of Resolution Number 2005-98. This concludes staff's  
5 presentation.

6 COMMITTEE MEMBER MARIN: I have a couple of  
7 comments. I'm looking at it -- and you know, if  
8 jurisdictions don't apply, it's very difficult for us to  
9 give them money if they don't apply. I'm wondering, you  
10 know, somebody from the City of San Bernardino who happens  
11 to be in San Bernardino County, they took the time. They  
12 applied. They got \$16,000, and San Bernardino County got  
13 almost \$300,000. You know, I'm wondering why so many  
14 jurisdictions don't apply. I mean, 435 or 520  
15 jurisdictions are eligible really; right? Every single  
16 county, every single city, and only 38 applied.

17 DEPUTY DIRECTOR LEE: If I could, Ms. Marin,  
18 respond to that. The problem that we have with this  
19 particular program, again, is there is no statutory  
20 mandate for the local governments to participate.  
21 Furthermore, again, a lot of the jurisdictions that are  
22 eligible declined to participate because they feel that  
23 they have higher municipal priorities. So we're fighting  
24 that battle on each front.

25 Clearly, there's over 500-plus city and county

1 jurisdictions. We certainly don't want them all to apply.  
2 We've tried to -- we certainly don't have money for all of  
3 them, even if they did. What we've tried to do is target  
4 the largest ones to the extent that we can. Again, we  
5 have ongoing efforts with County of San Diego, discussions  
6 with Riverside County, you know, to try to fill in some of  
7 these gaps. And, again, I think as Amalia suggested, she  
8 remarked earlier, we've increased the coverage with the  
9 addition of the City of L.A., with the rejoining of our  
10 program with the City and County of San Francisco. We've  
11 increased our coverage over last year from 59 to 71  
12 percent of the state's population. We're making progress  
13 in that area. These are some of the problems we encounter  
14 with this.

15 COMMITTEE MEMBER MARIN: You definitely are  
16 making progress. And we will succeed when that happens.

17 But I was actually trying to lead to another  
18 point in that maybe we just need to review the grants as a  
19 whole, the entire grant awarding program. And I know  
20 we've talked to Julie and Mark and discussed that at our  
21 Board retreat. Maybe there's something that we can do to  
22 make it easier for jurisdictions. You know, the City of  
23 Los Angeles, they have a lot of people. Obviously, they  
24 have a lot of population, so they have more staff. I can  
25 see why they would spend more time trying to get every

1 penny available out of the State and out of the federal  
2 government, whereby some individual cities may not be able  
3 to do that.

4           Then because we have so many grants, so many  
5 different grants available, jurisdictions, you know, can't  
6 be applying to all of them for \$10,000 or for \$25,000.  
7 Maybe we just need to re-think this. And this is  
8 something that I really want the Board to spend a  
9 significant amount of time as to what is it that we can do  
10 to have these grants be very successful. We're disbursing  
11 the money. There's no question about that. What can we  
12 do to make it easier? And even something as simple as the  
13 time on as to when these grant applications come back and  
14 things of that nature.

15           I really believe that we need to be very  
16 cognizant that we are dealing with all of the agencies.  
17 Certainly, local governments are very limited in staff  
18 resources that they have. And how can we -- maybe we have  
19 too many grants, you know, too many grants programs. And  
20 to make it easier for staff and to make it easier for the  
21 jurisdictions, maybe we need to limit the number of  
22 programs and have more money available for those areas  
23 where we really think are driving our priorities.

24           So I'm not -- please don't take this as anything  
25 against this one. I'm trying to make a bigger point that

1 I think needs to come to the Board to really do a policy,  
2 to have a policy discussion about where we want to go with  
3 the grant programs.

4 CHAIRPERSON PEACE: You're exactly right. I've  
5 even asked staff to look into this program in particular  
6 to see if there's a way we can make it a two-year grant  
7 program instead of one year, so we're not trying every  
8 single year. So you know if you've got it, you have the  
9 money for two years, and you don't have to go through it  
10 every year.

11 COMMITTEE MEMBER MARIN: And, you know, that  
12 might be something that is done throughout the different  
13 grants. And maybe if you apply for this grant, you can't  
14 apply for two years. But you'll get it for two years, you  
15 know, things of that nature. I think we really need to  
16 have a very serious deliberative session about this.

17 And, with that -- I don't know. Do we need to  
18 approve this, because I have another point to make.

19 CHAIRPERSON PEACE: We have a motion.

20 COMMITTEE MEMBER MARIN: Move approval of  
21 2005-98.

22 COMMITTEE MEMBER MULÉ: Second.

23 CHAIRPERSON PEACE: We have a motion by Board  
24 Chair Marin and a second by Board Member Mulé.

25 We'll substitute the previous roll, if there



1 isn't any objection.

2           And because this is, again, a fiscal item, we'll  
3 move it to the full Board with full Committee support.

4           DEPUTY DIRECTOR LEE: Thank you, Madam Chair.

5           COMMITTEE MEMBER MARIN: Thank you so much.

6           COMMITTEE MEMBER MULÉ: Madam Chair -- Committee  
7 Chair and Madam Chair, I just want to thank you both for  
8 your comments on the grant programs. Because as we all  
9 know, we've had some issues with whether grants are  
10 postmarked or received. And I think the whole idea to  
11 have this discussion is to have some consistency across  
12 the board with our process, as well as streamlining it so  
13 the grantees are spending their time implementing the  
14 grant programs, as opposed to writing grant proposals all  
15 the time. So thank you very much for your mentioning that  
16 and your leadership on that. I really do appreciate that.

17           COMMITTEE MEMBER MARIN: We want to do that.

18           And related to that, I want to talk about the  
19 Five-Year Tire Program. I didn't realize that when we set  
20 out our agenda for the year and the time we're going to be  
21 out of Sacramento -- here we try to go to other places  
22 where we haven't been in a long time. I didn't realize  
23 the schedule for the Five-Year Tire Program will be due in  
24 May when we are in another part of the state. And I'm  
25 wondering if we should really bring it back here in

1 June -- unless there is an absolute reason why we need to  
2 approve it in May, I'd much rather have it done here in  
3 June with the concurrence of the Chair.

4 CHAIRPERSON PEACE: Let's hear are there any  
5 downfalls to doing that?

6 STAFF COUNSEL BRECKON: This is Wendy Breckon,  
7 Staff Counsel.

8 Didn't it have to be submitted with the budget?  
9 So would that cause a problem?

10 SUPERVISOR FUJII: Bob Fujii, Special Waste  
11 Division.

12 One of the other issues that we deal with for the  
13 Five-Year Plan is, you know, also how it effects some of  
14 our other venues like our reallocation item and other  
15 things we'll be bringing back in May also. So some of the  
16 decisions made on that will also effect some of the  
17 funding that we are proposing in the Five-Year Plan  
18 depending on the Board's decisions on those items as well.  
19 So --

20 COMMITTEE MEMBER MARIN: But it will be in June.  
21 The fiscal year doesn't start until July.

22 SUPERVISOR FUJII: No. What we would be doing is  
23 proposing, say, accelerating funding for programs that  
24 were funded in out years in the new Five-Year Plan for  
25 current year -- maybe some current year efforts. So --

1 COMMITTEE MEMBER MARIN: I want you to take a  
2 look very, very carefully to see whether, in fact, this  
3 would be a problem. If it is not a problem -- because I  
4 know you're trying to do it right now from your head. I'd  
5 much rather have it done in June here. You know, there  
6 are people that it might be far more difficult for them to  
7 get to San Diego -- Anaheim than to come here. I'm trying  
8 to make it far more --

9 CHAIRPERSON PEACE: I understand that, but I  
10 think we need to let staff research that and find out if  
11 there's any downfall to doing that and if it's too tight  
12 of a time frame.

13 DEPUTY DIRECTOR LEE: Thank you, Madam Chair. We  
14 appreciate that. I think we need to collect our thoughts.  
15 Historically, we brought it forth in May. But, again, I  
16 want to get together with Legal and my Program staff and  
17 make sure we understand exactly what the needs are in that  
18 regard. Even if we postpone the Five-Year Plan until  
19 June, we still need to move on the May reallocation in  
20 May, because several of the items on there, you know, need  
21 follow-up action that Board needs to do in June. Even if  
22 we move the Five-Year Plan, it won't remove all of the  
23 controversial items from the May agenda.

24 COMMITTEE MEMBER MARIN: Okay. Sounds good to  
25 me.

1 CHAIRPERSON PEACE: So you'll get back to me.

2 DEPUTY DIRECTOR LEE: Yes, I will. Madam Chair.

3 CHAIRPERSON PEACE: Okay. Any other comments?

4 Okay. I guess this meeting is adjourned.

5 (Thereupon the California Integrated Waste

6 Management Board, Special Waste Committee

7 adjourned at 11:10 a.m.)

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1 CERTIFICATE OF REPORTER

2 I, TIFFANY C. KRAFT, a Certified Shorthand  
3 Reporter of the State of California, and Registered  
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5 That I am a disinterested person herein; that the  
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10 I further certify that I am not of counsel or  
11 attorney for any of the parties to said hearing nor in any  
12 way interested in the outcome of said hearing.

13 IN WITNESS WHEREOF, I have hereunto set my hand  
14 this 21st day April 2005.

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